



The Planning Inspectorate

Appeal Decision

Site visit made on 6 February 2013

by **D J Barnes MBA BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 February 2013

Appeal Ref: APP/C4615/D/12/2189174

64 Rounds Road, Bilston, West Midlands WV14 8SZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs Rachna Abbasi against the decision of Dudley Metropolitan Borough Council.
- The application Ref P12/0726 was refused by notice dated 18 September 2012.
- The development is a garden store and front ground floor store room.

Decision

1. The appeal is allowed and planning permission granted for a front ground floor store room at 64 Rounds Road, Bilston, West Midlands WV14 8SZ in accordance with the terms of the application, Ref P12/0726 and the plans submitted with it.

Procedural Matter

2. The application considered by the Council included 2 elements comprising a single storey side extension and a single storey front extension used as a garden store. Both extensions have been constructed but the Council has granted planning permission for the side extension. Accordingly, this appeal has only considered the front ground floor store room.

Main Issue

3. It is considered that the main issue is the effect of the front ground floor store room on the character and appearance of the streetscene and the property.

Reasons

4. The appeal property is situated within a predominantly residential area with a mix of dwelling types, including detached bungalows and 2-storey houses. It is a semi-detached dwelling situated at the junction of Rounds Road and Rainbow Avenue which has been significantly extended even not taking into account the 2 elements of the original application. This pair of semi-detached dwellings does not retain a symmetrical appearance within the streetscene. However, the rendering does give the property a cohesive rather than disjointed appearance.

5. The store room is erected within a gap between the boundary wall fronting Rounds Road, the property's front canopy and a single storey side extension. Although taller than the wall, when viewed from Rounds Road, the appeal scheme is substantially screened by the boundary brick wall and the single

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storey extension. Accordingly, the front extension does not cause adverse harm to the streetscene along this road and appears integrated with this already substantially altered property.

6. From Rainbow Avenue and Highfields Road the appeal extension is viewed against the context of the extended property. By reason of the sympathetic

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materials, opening, siting and size, the appeal scheme does not appear an incongruous addition which causes detriment to the character of either this substantially altered property or the pair of semi-detached dwellings.

7. For the reasons given, it is concluded that the front ground floor store room does not cause harm to the character and appearance of the streetscene and the property and, as such, it accords with Policy DD4 of the Dudley Unitary Development Plan (UDP). This policy allows extensions provided that there is no adverse effect on the character of the area and they are in keeping with the surrounding area. Although not up-to-date, the aims of UDP Policy DD4 are consistent with the National Planning Policy Framework's (the Framework) core planning principle of securing high quality design. Consideration has been given to the Council's Planning Guidance Note 17: *House Extension Design Guide* but this is only guidance and cannot address all circumstances, particularly where a dwelling has already been substantially altered.

Conditions

8. The Council has suggested conditions are required to ensure that the appeal scheme is constructed using matching materials and in accordance with the approved plans. However, in this case, because the original application was to retain the front ground floor store room and it has already been erected, these suggested conditions are considered unnecessary.

Conclusion

9. Accordingly, and taking into account all other matters including the Framework's presumption in favour of sustainable development, it is concluded that this appeal should succeed.

D J Barnes

INSPECTOR



Appeal Decision

Site visit made on 26 February 2013

by **William Fieldhouse BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 March 2013

Appeal Ref: APP/C4615/D/13/2190625

20 Bordeaux Close, Dudley, West Midlands DY1 2UY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Neil Keyes against the decision of Dudley Metropolitan Borough Council.
- The application Ref P12/1162 was refused by notice dated 31 October 2012.
- The development proposed is a walk-in square bay window with an adjoining storm porch over front door.

Decision

1. The appeal is allowed and planning permission is granted for a walk-in square bay window with an adjoining storm porch over front door at 20 Bordeaux Close, Dudley, West Midlands DY1 2UY in accordance with the terms of the application, Ref P12/1162, dated 26 June 2012, subject to the following conditions:

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plan: proposed front elevation, proposed ground floor plan, and sections (Revision A dated 17 October 2012).
- 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Preliminary Matter

2. The Council determined the planning application on the basis of amended plans, which omitted a side window, submitted after the application had been made. I have dealt with the appeal on the same basis as the Council.

Main Issue

3. The main issue is the effect on the character and appearance of the area.

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Reasons

4. The appeal site is a semi-detached house of simple design with a front bow window and shallow, tiled canopy across its full width above the ground floor window and front door. It is one of a row of semi-detached and detached houses of similar style, materials, size and age in a suburban residential area.
5. Despite some detailed differences, and alterations and extensions that have been made to some of the houses, the basic similarities in the design and layout of the houses in the row mean that it retains a fundamentally uniform character and appearance. I observed during my site visit that No. 24 has a glazed porch and bay window under its canopy, and a number of the other houses in the row also have bay windows. To my mind these modest alterations have not significantly altered the character and appearance of the

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individual houses, undermined the uniformity of the row, or harmed the street scene.

6. The proposed bay window and porch would be similar to that at No. 24, and it would project no further forward into the front garden than the existing tiled canopy. Rather than appearing as a single extension across the width of the house, the proposed bay window and porch would appear as separate features. Whilst they would mean that No. 20 would differ somewhat in appearance from the adjoining semi-detached house, No. 18, they would not unduly upset the symmetry of the pair, which is already affected by the addition of a side garage to No. 20, or be out of keeping with the rest of the row of houses.

7. The double porch doors would increase the amount of glazing on the front elevation. However, they would not be excessive in scale, and their position under the existing canopy means that they would not be unduly prominent. They would not, therefore, appear out of place or atypical in the suburban setting. In coming to this view, I noted during my site visit that a number of the houses on the opposite side of the road had porches with double glazed doors.

8. I conclude on this issue that the proposal would not materially harm the character or appearance of the area, and would be consistent with the objectives of national policy¹, policy DD4 of the Dudley Unitary Development Plan (2005), and associated guidance², which collectively seek to ensure good quality design, and that extensions relate well to the existing house in terms of scale, materials and detailed design, and are compatible with the character of the surrounding area.

9. The occupiers of the adjoining semi-detached house, No.18, are concerned that the proposal would lead to loss of light to their lounge. However, given the limited projection of the proposal, and the fact that the houses face north, I agree with the Council that any impact in this regard would be extremely limited.

10. Notwithstanding the amended plans, the appellant has suggested that I give consideration to the inclusion of a side window in the proposed porch facing No. 18. However, that would represent a material difference to the proposal that

¹ National Planning Policy Framework (2012) section 7.

² Planning Guidance Note No. 17: House Extension Design Guide.

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was refused permission by the Council, and third party interests could be affected. It is not, therefore, appropriate for me to allow such an amended scheme.

11. I agree with the Council that, in addition to the standard two conditions relating to the timing of development and compliance with the approved plans, a condition is required to ensure that the external materials match those on the existing house, to safeguard the character and appearance of the area.

Conclusion

12. For the reasons given above, I conclude that the appeal should be allowed.

William Fieldhouse

INSPECTOR



Appeal Decision

Site visit made on 26 February 2013

by **William Fieldhouse BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 March 2013

Appeal Ref: APP/C4615/D/13/2190746

18 Cowslip Walk, Brierley Hill, West Midlands DY5 2QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Trevor Ashmore-Hall against the decision of Dudley Metropolitan Borough Council.
- The application Ref P12/1171 was refused by notice dated 25 October 2012.
- The development proposed is a first floor front extension.

Decision

1. The appeal is allowed and planning permission is granted for a first floor front extension at 18 Cowslip Walk, Brierley Hill, West Midlands DY5 2QN in accordance with the terms of the application, Ref P12/1171, dated 10 September 2012, subject to the following conditions:

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plan ref 12:55:02 dated August 2012.
- 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The appeal site is a semi-detached house in a staggered row of similar properties within a suburban residential area comprising dwellings of varied design, layout and appearance. Vehicular access to the row of houses is to the rear, whilst to the front are their open plan gardens, a public footpath providing pedestrian access, and a grassed embankment sloping up to bungalows on Bisell Way.

4. The appeal property has an existing single-storey extension across the full width of the front elevation that projects around 1.55 metres. The proposal

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would entail the erection of a first floor over this existing extension, and would create a two-storey, gable-fronted projection.

5. Council guidance¹ states that the appearance of the fronts of houses, and the distance between the buildings and the street, are important aspects in defining the character of residential areas. In this case, the extension would project only 1.55 metres forward of the original front elevation of the house, and, due to the staggered layout of the row of houses, not significantly further forward than the front elevation of the neighbouring house, No. 16. The proposed roof ridge would be slightly below that of the existing house. Thus it would not be an unduly prominent addition in the row of houses, nor would it

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be readily noticeable in the wider area given its location away from residential roads.

6. The proposal would alter the appearance of the front of the property when seen from the public footpath and nearby houses, and mean that it would have a visibly different front elevation to that of the adjoining semi-detached house, No. 20. However, the existing single-storey front extension to the appeal property, along with a side extension to No. 20, mean that the original symmetry that the pair of semi-detached houses may originally have had has already been largely eroded, and the proposal would not, therefore, have an unduly unbalancing effect. In any case, the loss of symmetry that has already occurred has not, to my mind, significantly detracted from the character or appearance of the area, given the staggered layout of the row, and the variety of surrounding dwellings, and the proposal would not cause material harm in that regard.

7. The proposed roof pitch, materials, and fenestration would all be appropriate, meaning that the extension would not appear overly dominant or out of keeping with the character of the existing house or its surroundings.

8. I conclude on the main issue that the proposal would not materially harm the character or appearance of the area, and would be consistent with the objectives of national policy², policy DD4 of the Dudley Unitary Development Plan (2005), and associated guidance, which collectively seek to achieve good quality design, and ensure that extensions relate well to the existing house in terms of scale, materials and detailed design, and are compatible with the character of the surrounding area.

9. The occupiers of 62 Bisell Way are concerned that, due to the sloping ground, the proposed extension would be more or less level with the bungalows on Bisell Way meaning that there would be overlooking between their windows and the proposed first floor bedroom windows. However, the proposed windows would be on the same level as the existing first floor windows in the appeal property, and would be only around 1.5 metres further forward. The intervening distance that would remain between the proposal and the bungalows on Bisell Way would mean that there would not be a material loss of privacy or harm to outlook.

10. I agree with the Council that, in addition to the standard two conditions relating to the timing of development and compliance with the approved plans,

¹ Planning Guidance Note No. 17: House Extension Design Guide.

² National Planning Policy Framework (2012) section 7.

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a condition is required to ensure that the external materials used match those on the existing house, to safeguard the character and appearance of the area.

Conclusion

11. For the reasons given above, I conclude that the appeal should be allowed.

William Fieldhouse

INSPECTOR